

CHAPTER 2

ARTICLE 7 — GIFTS AND DONATIONS

Revised March 11, 2003

21070.1 Policy

The California Department of Corrections (CDC) shall accept gifts or donations if it is in the best interest of CDC and is consistent with current statutes, laws, regulations, etc. Only those gifts or donations that supplement CDC budgets or provide cost avoidance to the taxpayer without incurring any future expenditure related to the gift or donation shall be accepted.

Property acquired through gifts or donations shall become property of the State. Gifts and donations should be used exclusively for the purpose for which they were originally donated.

No officer or employee of CDC may for private gain accept or receive money or other compensation from anyone other than the State for the performance of his or her State duties. Nor may any officer or employee of CDC solicit, accept, or receive any gift or donation from anyone doing or seeking to do business with the State.

21070.2 Purpose

This article establishes the requirements for the acceptance of gifts or donations in the best interest of CDC.

21070.3 Responsibility, Headquarters

Director

The Director of CDC may accept gifts or donations of goods or services not involving new expenditures of State funds.

Financial Services Division

Acceptance of gifts or donations that generate a new expenditure of State funds is subject to approval of the Department of Finance (DOF). The Deputy Director, or designee, Financial Services Division shall:

- Review and forward to DOF a CDC Form 922, Authorization to Accept Gifts or Donations, that has been approved and processed by Office of Community Resources (OCR).

Other Divisions/Offices

When a person or entity contacts a headquarters' unit with an offer of a gift/donation, the appropriate manager shall designate a staff person who shall:

- Complete the CDC Form 922.
- Obtain the signature of the appropriate Deputy Director/Assistant Deputy Director.
- Submit the signed authorization form to OCR.

Office of Community Resources

The Chief, OCR, shall:

- Receive a quarterly report from each institution for the purpose of maintaining a statewide database on gifts and donations.
- Approve and process all gifts and donations that require DOF review.

The Community Resources Manager (CRM) in the OCR, shall:

- Forward CDC Form 922 to the Financial Services Division, and monitor the approval process if the gift/donation has an impact on CDC budgets.

- Approve all CDC Form 922s, provided by the Parole and Community Services Division (P&CSD) and headquarters.
- Maintain records of all approved gifts and donations to include donations identified on institutions quarterly reports.
- Provide technical assistance as needed.

21070.4 Institutions

Warden

The Warden of each institution shall authorize the acceptance of gifts and donations not impacting CDC budgets.

If the gift or donation has an impact on CDC budgets, the Warden shall forward CDC Form 922 to the CRM in OCR for processing through Financial Services Division.

Community Resources Manager

The CRM at each institution shall:

- Identify the equipment, supply, or material needs of the institution that can be met by solicitations of gifts or donations.
- When feasible, solicit contributions from public agencies and private enterprise that meet the identifiable needs of the institutions.
- When notified of the availability of a gift and/or donation, contact any program or administrative staff who may be affected by the gift and/or donation to determine if the gift and/or donation shall be accepted.
- Process the gift and/or donation items for necessary approvals in compliance with the provisions of this article.
- Place all cash donations in a special purpose trust account.
- Obtain the Warden's signature on a CDC Form 922 when a gift and/or donation is appropriate for acceptance by the institution.
- Forward the CDC Form 922 to OCR for approval by DOF for donations impacting CDC budgets.
- Notify appropriate institution staff when CDC Form 922 is approved by the Warden or DOF, as appropriate.
- Arrange for the efficient receipt of the gift and/or donation, delivery to the appropriate location, and the addition of the gift and/or donation to the institution property inventory (if applicable).
- Acknowledge appreciation to the donor(s) through written communication from the Warden and provide a copy of CDC Form 922 upon request (for tax purposes).
- Verify donated vehicle(s) has been approved by Department of General Services (DGS), Fleet Administration Representative. Attach the inspected approval document to CDC Form 922.
- Maintain a copy of the approved CDC Form 922 for a minimum of five years.

Procurement Officer

The institution Procurement Officer shall keep inventory records for all nondisposable property received as a gift or donation, in accordance with the inventory control guidelines as set forth in the Correctional Business and Administrative Support Systems.

Food Manager

The Food Manager shall monitor food donations to ensure compliance with CDC regulations for food safety, and DGS procurement standards.

Associate Information Systems Analyst

The Institution's Associate Information Systems Analyst will review all computer-related equipment, materials, and applications to ensure compliance with institution requirements.

Staff

Institution staff, as authorized by the Warden, may maintain direct communication with persons or entities wishing to provide a gift and/or donation. Upon offer of a gift and/or donation to a specific facility, staff in contact with the donor shall:

- Notify the facility CRM of the offer.
- Complete and submit to the facility CRM a CDC Form 922.

21070.5 Parole and Community Services Division, Field Units

When a gift and/or donation is offered to any field unit or institution in the P&CSD, the appropriate manager or unit supervisor shall appoint a staff person who shall:

- Complete CDC Form 922.
- Ensure that the authorization form is forwarded through the unit supervisor and Regional Parole Administrator to the Deputy Director, P&CSD, for signature prior to submission. Submit the signed CDC Form 922 to the OCR.
- Verify donated vehicles have been approved by the DGS, Fleet Administration Representative.

21070.6 Revisions

The Assistant Director, OCR, or designee shall be responsible for ensuring that the contents of this article are kept current and accurate.

21070.7 References

Government Code §§ 11005, 11005.2, 14660, and 19990.

PC § 5057.5.

SAM §§ 1376, 1377, 8602, 8614, 8634, and 8650.

American Correctional Association Standards §§ 2-4037, 2-4045, and 2-4437.

California Code of Regulations, Title 15, Sections 3413 and 3409.